

GAHC010077822026



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Crl.Pet./567/2026

ABHIJIT BORA
SON OF NAREN BORA
RESIDENT OF WAD NO.10, PURBANCHAL PATH, GOLAGHAT TOWN, P.O.
GOLAGHAT, P.S. GOLAGHAT, DIST. GOLAGHAT, ASSAM.

VERSUS

MD SAHIDUR RAHMAN
SON OF LATE KHALILUR RAHMAN
RESIDENT OF SATRA,P.S. GOLAGHAT, DIST. GOLAGHAT, ASSAM, PIN-
785625
PH. NO. 70028-81904

Advocate for the Petitioner : MR. K BORUAH, MS. M BHUYAN,MS. P BORAH,MR. M ALAM

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 23.04.2026

Heard Mr. K Boruah, the earned counsel appearing for the petitioner.

2. This is an application under Section 528 of the BNSS, 2023 challenging the orders starting from 29.07.2024 to 24.03.2026 directing issue of Non-Bailable

Warrant of Arrest as well as P & A against the present petitioner by the learned Judicial Magistrate 1st Class, Golaghat, Assam in C.R. Case No.37/2023.

3. In C.R. Case No.37/2023, the petitioner is an accused. He did not appear in response to the notices issued to him. Therefore, the trial court directed issue of Non-Bailable Warrant of Arrest against him. The petitioner has explained the reasons for his absence before the trial court.

4. After hearing the learned counsel of both sides, this Court is of the opinion that the petitioner should be given at least one opportunity to contest the case before the trial court.

5. Therefore, all orders directing issue of Non-Bailable Warrant of Arrest as well as P & A against the petitioner are set aside.

6. The petitioner **Sri Abhijit Bora** is directed to appear before the Court of the learned Judicial Magistrate 1st Class, Golaghat in respect of C.R. Case No.37/2023 within next 10 (ten) days from today. On his appearance, the petitioner **Sri Abhijit Bora** shall be released on bail of ₹**25,000/-** (Rupees Twenty Five Thousand) with a surety of like amount to the satisfaction of the learned Judicial Magistrate 1st Class, Golaghat.

With the aforesaid direction, this Criminal Petition stands disposed of accordingly.

JUDGE

Comparing Assistant